

09/800,163

MS150965.01/MSFTP115US

REMARKS

Claims 1-62 are currently pending in the subject application and are presently under consideration. Claims 1, 5, 6, 8, 11, 14, 22, 28-31, 33, 34, 39-40, 42-53, 59 and 61-62 have been amended as shown on pp. 3-12 of the Reply. Claims 3, 4, 26, 27, 41, 56, 57 and 60 have been canceled. In addition, the specification has been amended as indicated on p. 2 to correct the Title as specified by the Examiner.

Since the amended limitations merely emphasize subject matter as originally claimed, these limitations should already have been considered during an initial search in connection with the subject application. Pursuant to MPEP §714.13, applicants' representative submits that the amendments to these claims "only requires a cursory review by the Examiner" and thus, entry and consideration thereof is respectfully requested.

Applicants' representative thanks the Examiner for the courtesies extended during the teleconference of March 14, 2006.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection of Claim 14

Claim 14 is objected to because of the following informalities: The acronym COM is not spelled out. Appropriate correction is required. Claim 14 has been amended as specified by the Examiner, thus the objection is moot and should be withdrawn.

II. Objection of Claim 60 Under 37 CFR §1.75(c)

Claim 60 is objected to under 37 CFR §1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 60 has been canceled, thus the objection is moot and should be withdrawn.

III. Rejection of Claims 40-52 and 60-62 Under 35 U.S.C §112

Claims 40-52 and 60-62 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 40-52 and 60-62 have been amended as specified by the Examiner. Therefore, this rejection should be withdrawn.

09/800,163

MS150965.01/MSFTP115US

IV. Rejection of Claims 1-5, 8-19 and 21 Under 35 U.S.C. §102(b)

Claims 1-5, 8-19 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Ott, Marcus, Conceptual Design and Implementation of a Graphical Workflow-Modeling Editing in the Context of Distributed Groupware-Database (1994), hereinafter "Ott". It is respectfully requested that this rejection should be withdrawn for at least the following reasons. Ott does not teach or suggest each and every element as set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaa Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The claimed invention relates to a graphical user interface (GUI) scheduler program for modeling business workflow processes. In particular, independent claim 1 recites a computer-readable medium having computer executable instructions for utilizing a workflow scheduler graphical user interface program, comprising, *a first screen area employed to create a graphical representation of a business workflow process; a second screen area employed to bind the graphical representation of a business workflow process to at least one technological component; and a workflow component menu including a plurality of workflow components employed to create a business workflow process in the first screen area, the plurality of workflow components comprising at least one action component for defining actions in a business workflow process and at least one action grouping component for grouping the at least one action component.* Ott does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

Ott discloses a workflow-modeling editor in the context of distributed groupware-databases. An enterprise model that enables business processes to be modeled and their quality improved has been developed. The editor was developed as an easy-to-use GUI and integrated with the groupware platform Lotus Notes. (*See Introduction*, pp. 1-4).

In contrast, applicants' claimed invention discloses a GUI schedule interface which

09/800,163

MS150965.01/MSFTP115US

allows a user to create a schedule on a first side of the GUI and to define bindings on the other side of the GUI. During creation of the schedule, the workflow component menu will prohibit the user from creating a schedule that will deadlock the schedule by checking the correctness of the schedule flow. Ott does not expressly or inherently disclose a system that utilizes *a workflow component menu including a plurality of workflow components to create a business workflow process* that does not deadlock the schedule. Ott simply provides a graphical workflow model that is integrated with Lotus Notes to enable office workers to design and browse through modeled office procedures.

In view of at least the above, it is readily apparent that Ott fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 1 (and claims 2-5, 8-19 and 21 which respectively depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

V. Rejection of Claims 22-31, 33-35 and 38 Under 35 U.S.C. §102(b)

Claims 22-31, 33-35 and 38 stand rejected under 35 U.S.C. §102(b) as being anticipated by Okita, *et al.* (US 6,225,998). It is respectfully requested that this rejection should be withdrawn for at least the following reasons. Okita *et al.* does not teach or suggest each and every element as set forth in the subject claims. As stated *supra*, the claimed invention relates to a GUI scheduler program for modeling business workflow processes. In particular, independent claim 22 recites a computer-readable medium having computer executable instructions for employing a business process scheduling program, comprising, *a plurality of schedule tool components employed to create a representation of a business process schedule according to a set of predefined rules; and a conversion component employed to convert the schedule to executable code, wherein the plurality of schedule tool components comprises at least one action component for defining actions in a business process schedule and at least one action grouping component for grouping the at least one action component, and the action components grouped by the at least one action grouping component are selectable between an associated state and a non-associated state.* Okita *et al.* does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

09/800,163

MS150965.01/MSFTP115US

Okita *et al.* discloses a system and method for displaying visual primitives of a transaction flow used by a transaction processing system. A visual representation of a transaction flow containing visual primitives is accessed from a storage device contained in a digital computer. The digital computer is then used to display the visual primitives of the transaction flow on a visual display in a manner that provides for unrestricted placement of visual primitives. (See col. 2, lines 1-16).

In contrast, applicants' claimed invention discloses a GUI scheduler program that includes tools to allow a user to create a schedule for business workflow processes based on a set of rules defined by the GUI scheduler program. The rules ensure that deadlock cannot occur within the schedule. The scheduler program allows a user to define actions and group actions into transactions using simple GUI scheduling tools. The schedule can then be converted to executable code in a variety of forms. Okita *et al.* does not expressly or inherently disclose a system that utilizes *a plurality of schedule tool components comprising an action component for defining actions in a business process schedule*. Okita *et al.* simply provides a system for displaying visual primitives used by a transactional processing system.

In view of at least the above, it is readily apparent that Okita *et al.* fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 22 (and claims 23-31, 33-35 and 38 which respectively depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

VI. Rejection of Claims 53-58 Under 35 U.S.C. §102(b)

Claims 53-58 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by Action Technologies ActionWorkflow system and method (product) as evidenced at least by ActionWorkflow Enterprise Series 3.0 Process Builder User's Guide (1996), hereinafter "Action Technologies". It is respectfully requested that this rejection should be withdrawn for at least the following reasons. Action Technologies does not teach or suggest each and every element as set forth in the subject claims. As stated *supra*, the claimed invention relates to a GUI scheduler program for modeling business workflow processes. In particular, independent claim 53 recites a system that facilitates modeling of business processes that are representable at a transaction level and an action level, the system, comprising, *a GUI; a plurality of modeling components accessible through the GUI...; at least one implementation port coupling at least one*

09/800,163

MS150965.01/MSFTP115US

component of the graphical representation of the business process to the technological component; and a data flow screen illustrating data flow between the implementation port and the technological component. Action Technologies does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

Action Technologies discloses a method for installing the Action Workflow Process Builder. The User Guide shows you how to utilize the process builder window to create a business-process map. Specifically, business-process definitions are used to create a map that is a graphical representation of the business process. Workflows are based on templates that control the acts and states available to workflow participants. The two main types of templates are Request and Offer and all templates are based on one type or the other. (See pp. 2-1 – 2-3 and 3-6 – 3-12).

In contrast, applicants' claimed invention discloses a GUI schedule interface, which allows the user to create a schedule on a first side of the GUI and to define bindings on the other side of the GUI. During creation of the schedule, the scheduler program will prohibit the user from creating a schedule that will deadlock the schedule by checking the correctness of the schedule flow. A data flow screen is provided based on the schedule messages and the binding component interfaces and methods. The data flow of messages is then defined by simply connecting the message ports to binding component interfaces to ensure proper data flow between entities. Action Technologies does not expressly or inherently disclose a system that utilizes *a data flow screen illustrating data flow between the implementation port and a technological component.* Action Technologies simply provide for the installation of a Workflow Process Builder, wherein workflows are based on templates that control the acts and states available to workflow participants.

In view of at least the above, it is readily apparent that Action Technologies fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 53 (and claims 54-58 which respectively depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

VII. Rejection of Claims 59-62 Under 35 U.S.C. §102(b)

Claims 59-62 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by Ott, Marcus, Conceptual Design and Implementation of a Graphical Workflow-Modeling Editing in

09/800,163

MS150965.01/MSFTP115US

the Context of Distributed Groupware-Database (1994). It is respectfully requested that this rejection should be withdrawn for at least the following reasons. Ott does not teach or suggest each and every element as set forth in the subject claims. As stated *supra*, the claimed invention relates to a GUI scheduler program for modeling business workflow processes. In particular, independent claim 59 recites a computer-readable medium having computer executable instructions, comprising, *means for allowing a user to create a graphical representation of a business workflow process; means for allowing a user to create a binding of the graphical representation of a business workflow process to at least one technological component; and a means for allowing a user to create a workflow component menu including a plurality of workflow components employed to create a business workflow process in the first screen area, the plurality of workflow components comprising at least one action component for defining actions in a business workflow process and at least one action grouping component for grouping the at least one action component.* Ott does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

Ott discloses a workflow-modeling editor in the context of distributed groupware-databases. An enterprise model that enables business processes to be modeled and their quality improved has been developed. The editor was developed as an easy-to-use GUI and integrated with the groupware platform Lotus Notes. (See Introduction, pp. 1-4).

In contrast, applicants' claimed invention discloses a GUI schedule interface which allows a user to create a schedule on a first side of the GUI and to define bindings on the other side of the GUI. During creation of the schedule, the workflow component menu will prohibit the user from creating a schedule that will deadlock the schedule by checking the correctness of the schedule flow. Ott does not expressly or inherently disclose a system that utilizes *a workflow component menu including a plurality of workflow components to create a business workflow process* that does not deadlock the schedule. Ott simply provides a graphical workflow model that is integrated with Lotus Notes to enable office workers to design and browse through modeled office procedures.

In view of at least the above, it is readily apparent that Ott fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 59 (and claims 60-62 which respectively depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

09/800,163

MS150965.01/MSFTP115US

VIII. Rejection of Claims 39-47 and 49 Under 35 U.S.C. §102(a)

Claims 39-47 and 49 stand rejected under 35 U.S.C. §102(a) as being clearly anticipated by Teamware Flow as evidenced by at least the following: Teamware Flow 3.1 User's Guide (2000), hereinafter "Teamware Flow". It is respectfully requested that this rejection should be withdrawn for at least the following reasons. Teamware Flow does not teach or suggest each and every element as set forth in the subject claims. As stated *supra*, the claimed invention relates to a graphical user interface (GUI) scheduler program for modeling business workflow processes. In particular, independent claim 39 recites a computer-readable medium having computer executable instructions, comprising, *displaying a screen having a first region employed to create a representation of a business workflow process and a second region employed to bind the representation of a business workflow process to at least one technological component; and displaying a workflow component menu having a plurality of workflow components employed to create a business workflow process in the first screen region, the plurality of workflow components comprising at least one action component for defining actions in a business workflow process and at least one action grouping component for grouping the at least one action component*. Teamware Flow does not expressly or inherently disclose the aforementioned novel aspects of applicants' invention as recited in the subject claims.

Teamware Flow discloses a workflow automation tool that helps individuals coordinate their activities to carry-out a business process. The User Guide describes how to use standard features of TeamWARE Flow: the Viewer, Planner and FormBuilder modules and the Mail Integration and Web Integration features. The TeamWARE Flow Planner describes how to use the Viewer to start and participate in processes and how to modify process plans. The Planner can be used to graphically define process plans and for a change in the current activity of the process. (See Introduction, pp. 8-10).

In contrast, applicants' claimed invention discloses a GUI schedule interface which allows a user to create a schedule on a first side of the GUI and to define bindings on the other side of the GUI. During creation of the schedule, the workflow component menu will prohibit the user from creating a schedule that will deadlock the schedule by checking the correctness of the schedule flow. Teamware Flow does not expressly or inherently disclose a system that utilizes a workflow component menu including a plurality of workflow components to create a

09/800,163

MS150965.01/MSFTP115US

business workflow process that does not deadlock the schedule. Teamware Flow simply provides a workflow automation tool that allows users to participate in processes and modify process plans.

In view of at least the above, it is readily apparent that Teamware Flow fails to expressly or inherently disclose applicants' claimed invention as recited in independent claim 39 (and claims 40-47 and 49 which respectively depend there from). Accordingly, it is respectfully requested that these claims be deemed allowable.

IX. Rejection of Claims 6-7 Under 35 U.S.C. §103(a)

Claims 6-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ott, Marcus, Conceptual Design and Implementation of a Graphical Workflow-Modeling Editing in the Context of Distributed Groupware-Database (1994) as applied to claims 1-5, 8-19 and 21 above. It is respectfully submitted that this rejection should be withdrawn for the following reasons. Ott does not teach or suggest each and every element set forth in the subject claims. As stated *supra*, Ott does not make up for the aforementioned deficiencies with respect to independent claim 1 (which claims 6-7 depend there from). Thus, the subject invention as recited in claims 6-7 is not obvious over Ott. Therefore, it is respectfully submitted that this rejection be withdrawn.

X. Rejection of Claim 20 Under 35 U.S.C. §103(a)

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ott, Marcus, Conceptual Design and Implementation of a Graphical Workflow-Modeling Editing in the Context of Distributed Groupware-Database (1994) as applied to claims 1-19 and 21 above. It is respectfully submitted that this rejection should be withdrawn for the following reasons. Ott does not teach or suggest each and every element set forth in the subject claims. As stated *supra*, Ott does not make up for the aforementioned deficiencies with respect to independent claim 1 (which claim 20 depends there from). Thus, the subject invention as recited in claim 20 is not obvious over Ott. Therefore, it is respectfully submitted that this rejection be withdrawn.

09/800,163

MS150965.01/MSFTP115US

XI. Rejection of Claims 32 and 36-37 Under 35 U.S.C. §103(a)

Claims 32 and 36-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okita, *et al.* (US 6,225,998) as applied to claims 1-32, 34-35 and 38 above. It is respectfully submitted that this rejection should be withdrawn for the following reasons. Okita *et al.* does not teach or suggest each and every element set forth in the subject claims. As stated *supra*, Okita *et al.* does not make up for the aforementioned deficiencies with respect to independent claim 22 (which claims 32 and 36-37 depend there from). Thus, the subject invention as recited in claims 32 and 36-37 is not obvious over Okita *et al.* Therefore, it is respectfully submitted that this rejection be withdrawn.

XII. Rejection of Claim 48 Under 35 U.S.C. §103(a)

Claim 48 stands rejected under 35 U.S.C. §103(a) as being unpatentable over TeamWARE Group's Teamware Flow as evidenced by at least Teamware Flow 3.1 User's Guide (2000) as applied to claims 39-47 above, and further in view of Viseo as evidenced by at least the following:

- I. Doherty, Paul, Viseo Reshaping Company Thinking (1999), herein after reference A;and
- II. Lennox, Michael, Draw smart with Viseo 2000 Technical Edition (1999), herein after reference B.

It is respectfully submitted that this rejection should be withdrawn for the following reasons. Teamware Flow and Viseo, individually or in combination, do not teach or suggest each and every element set forth in the subject claims. In particular, Viseo does not make up for the aforementioned deficiencies of Teamware Flow with respect to independent claim 39 (which claim 48 depends there from). Thus, the subject invention as recited in claim 48 is not obvious over the combination of Teamware Flow and Viseo. Therefore, it is respectfully submitted that this rejection be withdrawn.

XIII. Rejection of Claims 50-52 Under 35 U.S.C. §103(a)

Claims 50-52 stand rejected under 35 U.S.C. §103(a) as being unpatentable over TeamWARE Group's Teamware Flow as evidenced by at least Teamware Flow 3.1 User's Guide (2000) as applied to claims 39-48 above, and further in view of Ott, Marcus, Conceptual

09/800,163

MS150965.01/MSFTP115US

Design and Implementation of a Graphical Workflow-Modeling Editing in the Context of Distributed Groupware-Database (1994). It is respectfully submitted that this rejection should be withdrawn for the following reasons. Teamware Flow and Ott, individually or in combination, do not teach or suggest each and every element set forth in the subject claims. In particular, Ott does not make up for the aforementioned deficiencies of Teamware Flow with respect to independent claim 39 (which claims 50-52 depend there from). Thus, the subject invention as recited in claims 50-52 is not obvious over the combination of Teamware Flow and Ott. Therefore, it is respectfully submitted that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP115US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731